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# State of Utah

## DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER  
Executive Director

### Division of Oil, Gas and Mining

JOHN R. BAZA  
Division Director

June 7, 2013

Tom Schmaltz, Environmental Director  
Headwaters, Inc.  
1160 Millstone Road  
Bogart, GA 30622

Subject: 2012 Annual Report Review Completion, COVOL Coal Processing Facility,  
C/007/0045, Task ID #4328

Dear Mr. Schmaltz:

The Division staff has completed the review of the 2012 Annual Report. Enclosed is a copy of the review with each reviewer's comments completed on June 6, 2013.

Thank you for your diligence in completing the Annual Report. If you have any questions, please call me at (801) 538-5325.

Sincerely,

Daron R. Haddock  
Coal Program Manager

DRH/sqs  
Enclosure  
O:\007045.COV\WG4328\ReviewCompletionLetter.doc

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# Annual Report

This Annual Report shows information the Division has for your mine. Submit the completed document and any additional information identified in the Appendices to the Division by **March 30, 2012**. During a complete inspection an inspector will check and verify the information.

## GENERAL INFORMATION

Company Name	COVOL Engineered Fuels LC	Mine Name	COVOL
Permit Number	C/007/0045	Permit expiration Date	2014-09-01
Operator Name	COVOL Engineered Fuels LC	Phone Number	+1 (435) 613-1631
Mailing Address	1865 West Ridge Road	Email	kedwards@headwaters.com
City	Wellington		
State	UT	Zip Code	84542

## DOGM File Location or Annual Report Location

Excess Spoil Piles

- ☐ Required  
☒ Not Required

Refuse Piles

- ☐ Required  
☒ Not Required

Impoundments

- ☒ Required  
☐ Not Required

Other:

A copy of the inspection report is contained in Appendix A of this report.

## OPERATOR COMMENTS

The annual impoundment inspection and certification was performed on December 5 and 6, 2012 for the two basins at Covol's Wellington facility. The inspection report is contained in Appendix A of this report.

## REVIEWER COMMENTS



Met Requirements



Did Not meet Requirements

The submitted general information is correct at this time (4/17/2013). The current Permittee has submitted an amendment to change operators to Bowie Refined Coal, LLC, and this has received Division approval (Task ID # 4304).

Mr. Richard B. White, Utah registered P.E. conducted the annual inspections and P.E. certifications for the East and West sediment containment ponds on December 5th and 6th, respectively. Minor rills were observed on the inslopes of the ponds, which are incised and constructed in Mancos shale. The rills are not a concern relative to the stability of the ponds. No other compliance issues were identified. Mr. White's certification stamps adequately address the requirements of R156-22-601, (a-f). (PHH, 4/17/2013)

## FUTURE COMMITMENTS AND CONDITIONS

The following commitments are not required for the current annual report year, but will be required by the permittee in the future as indicated by the "status" field. These commitments are included for information only, and do not currently require action. If you feel that the commitment is no longer relevant or needs to be revised, please contact the Division.

### **Title: BURROWING OWL PROTECTION**

**Objective:** If future land disturbing activities are planned during Burrowing Owl Breeding season (February-August), Covol commits to conduct a survey of the area. COVOL will meet with the Division and DWR if burrowing owls are identified.

**Frequency:** Once prior to land disturbing activity

**Status:** Required prior to land disturbing activity

**Reports:** Immediately report to Division plans for land disturbing activity. Summary of survey in annual report.

**Citation:** MRP, Chapter 3, Section 3.3.3, page 3-9

### **Title: Raptor Protection**

**Objective:** If future land disturbing activities are planned, Covol commits to conduct a raptor survey of the area. COVOL will meet with the Division and DWR if raptors or nests are identified.

**Frequency:** Once prior to land disturbing activity

**Status:** Required prior to land disturbing activity

**Reports:** Immediately report to Division plans for land disturbing activity. Summary of survey in annual report.

**Citation:** MRP, Chapter 3, Section 3.3.3, page 3-10

### **OPERATOR COMMENTS (OPTIONAL)**

No additional land was disturbed during the reporting period.

### **REVIEWER COMMENTS**

As the biologist assigned to this entity I concur with the future commitments for burrowing owl and raptor surveys and the permittee's comments for this reporting period.

## REPORTING OF OTHER TECHNICAL DATA

Please list other technical data or information that was not included in the form above, but is required under the approved plan, which must be periodically submitted to the Division.

Please list attachments:

N/A

Reviewer Comments

# MAPS

Copies of mine maps, current and up-to-date through at least December 31, 2011, are to be provided to the Division as an attachment to this report in accordance with the requirements of R645-301-525.240. The map copies shall be made in accordance with 30 CFR 75.1200 as required by MSHA. Mine maps are not considered confidential.

Map Name	Map Number	Included		Confidential	
		Yes	No	Yes	No
General Site Map, Wellington Dry Coal Cleaning Facility	Plate 5-1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Reviewer Comments ☒ Met Requirements ☐ Did Not Meet Requirements

An 8-1/2 X 11 copy of the General Site Map, Plate 5-1 has been attached to the Annual Report copy received (4/16/2013) by the Division. Plate 5-1 is P.E. certified by Mr. Richard B. White. (PHH, 4/17/2013)